

from Indorama about the marketing stage involved in the reported U.S. and home-market sales, including a description of the selling activities performed for each channel of distribution. In identifying levels of trade for EP and home-market sales, we considered the selling functions reflected in the starting price before any adjustments. We expect that, if claimed LOTs are the same,

the functions and activities of the seller should be similar. Conversely, if a party claims that LOTs are different for different groups of sales, the functions and activities of the seller should be dissimilar.

Indorama reported that all of its sales made to the United States were to unaffiliated trading companies. For its sales in the home market, Indorama reported two different channels of distribution, reflecting its two different categories of customers: (1) sales through unaffiliated trading companies, and (2) direct sales to end-users. Indorama claimed that the sales to the trading companies in the United States and to the trading companies in Thailand were at the same level of trade, while sales to end-users in the home market were at a different level of trade.

We examined the selling functions for Indorama in Thailand and the United States and found that sales activities were substantially the same in both markets. We also determined that, while there exist two customer categories in the home market, trading companies and end-users, there is only one channel of distribution, *i.e.*, direct sales from the factory to the unaffiliated customer. Our examination of the selling activities, selling expenses, and customer categories involved in this channel of distribution indicates that it constitutes a single LOT, and, furthermore, that this LOT is equivalent to that of Indorama's U.S. sales.

Currency Conversion

We made currency conversions into U.S. dollars in accordance with section 773A of the Act, based on exchange rates in effect on the dates of the U.S. sales, as certified by the Federal Reserve Bank.

Preliminary Results of Review

As a result of this review, we preliminarily determine that the following weighted-average margin exists for the period July 1, 2000, through June 30, 2001:

Manufacturer/Exporter	Margin (percent)
Indorama Chemicals (Thailand) Ltd.	0.91

We will disclose the calculations used in our analysis to parties to this proceeding within five days of the publication date of this notice. See 19 CFR 351.224(b). Interested parties are invited to comment on the preliminary results. Interested parties may submit case briefs within 30 days of the date of publication of this notice. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than 37 days after the date of publication. Parties who submit arguments are requested to submit with each argument: (1) a statement of the issue, (2) a brief summary of the argument and (3) a table of authorities. Further, we would appreciate it if parties submitting written comments would provide the Department with an additional copy of the public version of any such comments on a diskette. Any interested party may request a hearing within 30 days of publication. See 19 CFR 351.310(c). If requested, a hearing will be held 44 days after the publication of this notice, or the first workday thereafter. The Department will publish a notice of the final results of this administrative review, which will include the results of its analysis of issues raised in any such written comments or hearing, within 120 days from publication of this notice.

Assessment

Pursuant to 19 CFR 351.212(b), the Department calculated an assessment rate for each importer of subject merchandise. We have calculated each importer's duty assessment rate based on the ratio of the total amount of antidumping duties calculated for the examined sales to the total entered value of examined sales. Upon completion of this review, the Department will instruct the U.S. Customs Service to assess antidumping duties on all entries of subject merchandise by that importer, where the assessment rate is above *de minimis*.

Cash Deposit Requirements

The following deposit rates will be effective upon publication of the final results of this administrative review for all shipments of furfuryl alcohol from Thailand entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(1) of the Act: (1) the cash deposit rate for Indorama will be the rate established in the final results of this review, except if the rate is less than 0.5 percent and, therefore, *de minimis*, the cash deposit will be zero; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be

the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the less than fair value (LTFV) investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) if neither the exporter nor the manufacturer is a firm covered in this or any previous review or the LTFV investigation conducted by the Department, the cash deposit rate will be 7.82 percent, the "all others" rate established in the LTFV investigation.

These cash deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative review.

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This determination is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: July 31, 2002.

Faryar Shirzad,

Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-507-502]

Certain In-Shell Raw Pistachios From Iran: Notice of Rescission of Antidumping Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of Rescission of Antidumping Duty Administrative Review.

SUMMARY: On August 20, 2001, the Department of Commerce (the Department) published in the Federal Register (66 FR 43570) a notice announcing the initiation of an administrative review of the antidumping duty order on certain in-shell raw pistachios from Iran and

Rafsanjan Pistachio Producers Cooperative (RPPC). The review period is July 1, 2000 to June 30, 2001. This review has now been rescinded because there were no sales of subject merchandise by RPPC to the United States during the period of review.

EFFECTIVE DATE: August 7, 2002.

FOR FURTHER INFORMATION CONTACT: Phyllis Hall or Donna Kinsella, Enforcement Group III, Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Room 7866, Washington, D.C. 20230; telephone (202) 482-1398 or (202) 482-0194 respectively.

SUPPLEMENTARY INFORMATION:

The Applicable Statute

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (the Act) are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Act by the Uruguay Round Agreements Act (URAA). In addition, unless otherwise indicated, all citations to the Department's regulations are references to the provisions codified at 19 CFR Part 351 (2001).

Scope of Review

Imports covered by this review are raw, in-shell pistachio nuts from which the hulls have been removed, leaving the inner hard shells and edible meats, from Iran. The merchandise under review is currently classifiable under item 0802.50.20.00 of the *Harmonized Tariff Schedule of the United States* (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of this proceeding is dispositive.

Background

On July 11, 2001, Cyrus Marketing (Cyrus), a U.S. importer of subject merchandise, requested an administrative review of the antidumping duty order on Certain In-Shell Pistachios from Iran, published in the **Federal Register** on July 17, 1986 (51 FR 25922), and RPPC, an Iranian producer and exporter of pistachios. We initiated the review on August 20, 2001 (66 FR 43570). On September 28, 2001, January 8, 2002, February 7, 2002, March 6, 2002, and April 25, 2002 the Department issued standard and supplemental antidumping questionnaires. On November 15, 2001, December 4, 2000, February 4, 2002, March 20, 2002, and May 13, 2002, RPPC submitted responses to these questionnaires and a July 3, 2002,

addendum. Additionally, on February 20, 2002, the Department orally requested information from RPPC. RPPC responded in writing on February 22, 2002.

Under section 751(a)(3)(A) of the Act, the Department may extend the deadline for issuing the preliminary results in an administrative review if it determines that it is not practicable to complete the preliminary results within the statutory time limit of 245 days. On April 4, 2002, the Department published a notice of extension of the time limit for the completion of the preliminary results by 120 days, until July 31, 2002. *See Administrative Review of Certain In-Shell Raw Pistachios From Iran: Extension of Time Limit for Preliminary Results of Antidumping Duty Administrative Review*, 67 FR 16088 (April 4, 2002).

On June 11, 2002, the Department issued a memorandum indicating its intent to rescind the administrative review covering RPPC and invited interested parties to submit comments on its intent to rescind no later than June 25, 2002. *See Decision Memorandum from Phyllis Hall, Case Analyst through Donna Kinsella, Case Manager and Richard Weible, Director, Office 8 to Joseph Spetrini, Deputy Assistant Secretary dated June 10, 2002.* On June 24, 2002, the Department received joint comments from Cyrus and RPPC. No other interested party comments were received. On July 23, 2002, Cyrus submitted additional information that the Department rejected as untimely. *See Letter from Phyllis Hall to Ed Borcherdt dated July 30, 2002.*

Analysis of Comments Received

Pursuant to 19 CFR 351.213(d)(3), the Department may rescind an administrative review, in whole or only with respect to a particular exporter or producer, if the Department concludes that, during the period covered by the review, there were no entries, exports or sales of the subject merchandise. In light of the fact that we have determined that the only company covered by the review did not have entries for consumption into the territory of the United States during the POR in question, we find that rescinding this review is appropriate. For a complete discussion see "Decision to Rescind the Antidumping Duty Administrative Review of Certain In-Shell Raw Pistachios from Iran Memorandum" from Donna Kinsella, Case Manager and Richard Weible, Director Office 8 through Joseph A. Spetrini, Deputy Assistant Secretary, Import Administration to Faryar Shirzad, Assistant Secretary for Import

Administration dated July 31, 2002. The cash-deposit rate for RPPC will remain at 184.28 percent, the rate established in the most recently completed segment of this proceeding, adjusted for export subsidies. *See Certain In-Shell Pistachios: Final Determination of Sales at Less Than Fair Value*, 51 FR 18919, May 23, 1986.

This notice is in accordance with section 777(i) of the Act and 19 CFR 351.213(d)(4).

Dated: July 31, 2002.

Faryar Shirzad,

Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-489-805]

Certain Pasta from Turkey: Notice of Preliminary Results of Antidumping Duty Administrative Review and Notice of Intent Not To Revoke Order in Part

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of Preliminary Results of Antidumping Duty Administrative Review and Notice of Intent Not To Revoke Order in Part.

SUMMARY: In response to a request by one producer/exporter of the subject merchandise, the Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on certain pasta (pasta) from Turkey for the period July 1, 2000 through June 30, 2001.

We preliminarily determine that during the period of review (POR), Filiz Gida Sanayi ve Ticaret A.S. (Filiz) sold subject merchandise at less than normal value (NV). If these preliminary results are adopted in the final results of this administrative review, we will instruct the U.S. Customs Service to assess antidumping duties based on the difference between the export price (EP) and NV. In addition, we are not revoking the antidumping order with respect to Filiz, because it has not had zero or *de minimis* dumping margins for three consecutive reviews and has not had three years of sales in commercial quantities at not less than NV. *See Intent Not To Revoke* section of this notice.

Interested parties are invited to comment on these preliminary results. Parties who submit comments in this proceeding should also submit with